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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MARTIN ALFREDO LEIVA-LEIVA, et al.,
15 Defendants.

CASE NO.: 1:22-cr-00232-JLT

**ORDER DENYING REQUEST TO FILE
DOCUMENTS EX PARTE AND UNDER
SEAL**

16 Mr. Alfredo Leiva-Leiva, on his own behalf and on behalf of his codefendants¹, seeks
17 appointment of a Coordinating Discovery Attorney (Doc. 91). In connection with his motion,
18 Mr. Leiva-Leiva seeks to file under seal and ex parte, his attorney's declaration and the
19 declaration of the prospective CDA. (Doc. 92) Mr. Leiva-Leiva contends that these documents,
20 if not filed under seal, will reveal defense strategy and "should not otherwise be filed publicly."
21 *Id.* at 1.

22 Local Rule 141(b) requires the moving party to "set forth the statutory or other authority
23 for sealing . . ." Nevertheless, the request fails to cite to any authority to support it. *Id.* In
24 addition, neither the motion nor the request to file under seal, makes any attempt to direct the
25 Court to any information contained in the declarations, which would support that the documents
26 should be filed under seal. Even without this guidance, the Court has reviewed the documents at
27 issue and does not see any revelation about defense strategy nor can it find any basis upon
28

¹ No other defendant has joined in this motion yet.

1 which it can conclude that filing these documents on public docket is unwise or has any
2 potential for prejudice. Consequently, the Court does not see why the memo should be filed
3 under seal. There must be legal justification for sealing each document. Consequently, the
4 defendant's request to file under seal documents in connection with his motion for appointment
5 for the CDA is **DENIED**.

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7 IT IS SO ORDERED.

8 Dated: **August 4, 2023**


UNITED STATES DISTRICT JUDGE